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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 LORENZO LEE,  
EVAN MARTINEZ-DIAZ,  
JESSE LOPEZ, III,  
TIMOTHY PEOPLES,  
LUIS TORRES GARCIA,

17 Defendants.

) No. CR19-226-RS  
) STIPULATION TO CONTINUE TRIAL DATE  
) FROM APRIL 17, 2023 TO OCTOBER 2, 2023  
) AND TO EXCLUDE TIME FROM APRIL 17, 2023  
) THROUGH OCTOBER 2, 2023;  
) ORDER  
)  
)  
)  
)  
)

21 The Court has indicated that it is not available for trial on April 17, 2023 and directed the parties  
22 select a new trial date. The parties have met and conferred and request that the current trial date be  
23 vacated and a new trial date be set for October 2, 2023.

24 The government is ready proceed to trial. Defendants Lorenzo Lee, Jesse Lopez, Evan Martinez-  
25 Diaz, and Timothy Peoples are out of custody and agree that time should be excluded under the Speedy  
26 Trial Act for effective preparation of counsel. Defendant Torres Garcia made his initial appearance on  
27 or about January 31, 2023 and was later released. Defense counsel is evaluating whether Torres Garcia  
28 will be ready for trial on October 2, 2023. Counsel for defendant Torres Garcia takes no position on

1 whether time should be excluded beyond his next status date of April 25, 2023 but will be prepared to  
2 provide his position at the April 25, 2023 status.

3 The parties (with the exception of defendant Torres Garcia noted above) hereby stipulate and  
4 agree that time should be excluded under the Speedy Trial Act from April 17, 2023 through October 2,  
5 2023 for effective preparation of counsel taking into account the exercise of due diligence. The parties  
6 agree that exclusion from the time limits applicable under 18 U.S.C. § 3161 (the Speedy Trial Act) for  
7 the period from April 17, 2023 through October 2, 2023, is warranted and that the ends of justice served  
8 by the continuance outweigh the best interests of the public and the defendants in a speedy trial.

9 IT IS SO STIPULATED

10 STEPHANIE M. HINDS  
11 United States Attorney

12 Dated: March 14, 2023

/s/ \_\_\_\_\_  
13 DANIEL PASTOR  
14 JOSEPH TARTAKOVSKY  
Assistant United States Attorneys

15 Dated: March 14, 2023

/s/ \_\_\_\_\_  
16 GAIL SHIFMAN  
Counsel for Defendant Lorenzo Lee

17 Dated: March 14, 2023

/s/ \_\_\_\_\_  
18 ERICK GUZMAN  
Counsel for Defendant Jesse Lopez III

20 Dated: March 14, 2023

/s/ \_\_\_\_\_  
21 ARTURO HERNANDEZ  
Counsel for Defendant Evan Martinez Diaz

23 Dated: March 14, 2023

/s/ \_\_\_\_\_  
24 BRIAN BERSON  
Counsel for Defendant Timothy Peoples

25 Dated: March 14, 2023

/s/ \_\_\_\_\_  
26 PETER ARIAN  
Counsel for Defendant Luis Torres Garcia

ORDER

Based upon the facts set forth above, and for good cause shown, the Court finds that exclusion from the time limits applicable under 18 U.S.C. § 3161 (the Speedy Trial Act) for the period from April 17, 2023 through October 2, 2023, is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendants in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The failure to grant the requested continuance would deny the defendants the effective preparation of counsel taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

IT IS HEREBY ORDERED THAT the time from April 17, 2023 through October 2, 2023 shall be excluded from computation under the Speedy Trial Act.

Pursuant to the parties' stipulation, the April 17, 2023 trial date is vacated. The trial date for this case is rescheduled to October 2, 2023.

DATED: March 14, 2023

  
HON. RICHARD SEEBORG  
Chief United States District Judge